

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty Dkt. DMB-2590-110

MOSER et al

Serial No. 10/526,272



C# M#

Confirmation No. 6640

TC/A.U.: 2856

Examiner: John E. Chapman, Jr.,

Esq.

Date: May 28, 2009

Filed: April 12, 2005

Title: DIAMAGNETIC LEVITATION SYSTEM

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

☐ Correspondence Address Indication Form Attached.

☒ **NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences

from the last decision of the Examiner twice/finally rejecting \$540.00 (1401)/\$270.00 (2401) \$ 270.00  
applicant's claim(s) and any adverse response to the  
Amendment filed on April 28, 2009.

☐ An appeal **BRIEF** is attached in the pending appeal of the  
above-identified application \$540.00 (1402)/\$270.00 (2402) \$

☐ Credit for fees paid in prior appeal without decision on merits -\$( )

☐ A reply brief is attached. (no fee)

☐ Pre-Appeal Brief Request for Review form attached.

☒ Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)

One Month Extension \$130.00 (1251)/\$65.00 (2251)  
Two Month Extensions \$490.00 (1252)/\$245.00 (2252)  
Three Month Extensions \$1110.00 (1253)/\$555.00 (2253)  
Four Month Extensions \$1730.00 (1254)/\$865.00 (2254) \$ 555.00

☐ "Small entity" statement attached.

Less 2 month extension previously paid on April 28, 2009 -\$( 245.00)

**PLEASE CHARGE THE DEPOSIT ACCOUNT BELOW FOR THE TOTAL FEES DUE \$ 580.00**

☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.  
The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or  
asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this  
firm) to our **Account No. 14-1140**.

901 North Glebe Road, 11<sup>th</sup> Floor  
Arlington, Virginia 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
DMB:lmo

NIXON & VANDERHYE P.C.

By Atty: Duane M. Byers, Reg. No. 33,363

05/29/2009 DEMMANU1 00000101 141140 10526272

Signature: \_\_\_\_\_

05/29/2009 270.00 DA  
310.00 DA